Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 1 of 15

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

11-37780

CHAPTER 13 PLAN AND RELATED MOTIONS

Case No:

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This plan, dated <u>December 9, 2011</u> , is:	
the <i>first</i> Chapter 13 plan filed in this case. a modified Plan, which replaces the □confirmed or □unconfirmed Plan dated.	
Date and Time of Modified Plan Confirming Hearing:	
Place of Modified Plan Confirmation Hearing:	
The Plan provisions modified by this filing are:	
Creditors affected by this modification are:	

Turand D Paige

Name of Debtor(s):

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: \$7,744.70

Total Non-Priority Unsecured Debt: \$39,641.09

Total Priority Debt: **\$0.00**Total Secured Debt: **\$8,919.00**

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 2 of 15

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- 1. Funding of Plan. The debtor(s) propose to pay the trustee the sum of \$150.00 Monthly for 42 months. Other payments to the Trustee are as follows: NONE. The total amount to be paid into the plan is \$6,300.00.
- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$\(\frac{2,951.00}{} \) balance due of the total fee of \$\(\frac{3,000.00}{} \) concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

<u>Creditor</u> <u>Type of Priority</u> <u>Estimated Claim</u> <u>Payment and Term</u>

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

<u>Creditor</u> <u>Collateral</u> <u>Purchase Date</u> <u>Est Debt Bal.</u> <u>Replacement Value</u> -NONE-

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

<u>Creditor</u> <u>Collateral Description</u> <u>Estimated Value</u> <u>Estimated Total Claim</u>

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 3 of 15

C. Adequate Protection Payments.

11-37780

The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

Creditor

Collateral Description

Adeq. Protection Monthly Payment

To Be Paid By

-NONE-

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, whichever is less, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.

Creditor

Collateral

Approx. Bal. of Debt or "Crammed Down" Value

Interest Rate

Monthly Paymt & Est. Term**

-NONE-

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

- 4. Unsecured Claims.

 - B. Separately classified unsecured claims.

Creditor -NONE- **Basis for Classification**

Treatment

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 4 of 15

- 5. Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term 7 7 8 0 Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any existing default under 11 U.S.C. § 1322(b)(5).
 - A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid by the Trustee either pro rata with other secured claims or on a fixed monthly basis as indicated below, without interest unless an interest rate is designated below for interest to be paid on the arrearage claim and such interest is provided for in the loan agreement.

		Regular		Arrearage		Monthly
		Contract	Estimated	Interest	Estimated	Arrearage
Creditor	Collateral	Payment	Arrearage	Rate	Cure Period	Payment
Michael Wayne	2001 Chevrolet Impala	324.00	0.00	0%	0 months	
Investments						

B. Trustee to make contract payments and cure arrears, if any. The Trustee shall pay the creditors listed below the regular contract monthly payments that come due during the period of this Plan, and pre-petition arrearages on such debts shall be cured by the Trustee either pro rata with other secured claims or with monthly payments as set forth below.

		Regular			Monthly
		Contract	Estimated Interest	Term for	Arrearage
Creditor	Collateral	Payment	Arrearage Rate	Arrearage	Payment
-NONE-					

C. Restructured Mortgage Loans to be paid fully during term of Plan. Any mortgage loan against real estate constituting the debtor(s)' principal residence upon which the last scheduled contract payment is due before the final payment under the Plan is due shall be paid by the Trustee during the term of the Plan as permitted by 11 U.S.C. § 1322(c)(2) with interest at the rate specified below as follows:

Datiment of

		interest	Estimated	
<u>Creditor</u>	<u>Collateral</u>	Rate	Claim	Monthly Paymt& Est. Term**
-NONE-				

- **6. Unexpired Leases and Executory Contracts.** The debtor(s) move for assumption or rejection of the executory contracts and leases listed below.
 - **A. Executory contracts and unexpired leases to be rejected.** The debtor(s) reject the following executory contracts.

Creditor	Type of Contract
-NONE-	

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

			Monthly	
			Payment	Estimated
Creditor	Type of Contract	Arrearage	for Arrears	Cure Period
-NONE-				

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Mair Document Page 5 of 15

7. Liens Which Debtor(s) Seek to Avoid.

11-37780

A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

Creditor -NONE-

Collateral

Exemption Amount

Value of Collateral

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

Creditor -NONE-

Type of Lien

Description of Collateral

Basis for Avoidance

- 8. Treatment and Payment of Claims.
 - All creditors must timely file a proof of claim to receive payment from the Trustee.
 - If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
 - If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
 - The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- 9. Vesting of Property of the Estate. Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- **10. Incurrence of indebtedness.** The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 6 of 15

Signatures:			11-37780
Dated: De	ecember 9, 2011		
/s/ Turand D	Paige		/s/ Robert B. Duke Jr. For the Debt Law Group, PLLC
Turand D Pa	iige		Robert B. Duke Jr. For the Debt Law Group, PLLC 740
Debtor			Debtor's Attorney
/s/ Mia S Pai	ge		
Mia S Paige Joint Debtor	r		
Exhibits:	Copy of Debtor(s)' Budget Matrix of Parties Served w		
		Certificate of Service	
I cert attached Servi		, I mailed a copy of the forego	ing to the creditors and parties in interest on the
	F	s/Robert B. Duke Jr. For the Detobert B. Duke Jr. For the Debt ignature	
	2	he Debt Law Group, PLLC 800 N Parham Rd, Ste 100 lenrico, VA 23294	
	Ā	ddress	
		04-308-0051	
	Т	elephone No.	

Ver. 09/17/09 [effective 12/01/09]

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 7 of 15

B6I (Offi	icial Form 6I) (12/07)
	Turand D Paige
In re	Mia S Paige

11-37780

Case No.

Debtor(s)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE				
RELATIONSHIP(S): AGE(S):					
Married	Daughter	2			
Employment:	DEBTOR		SPOUSE		
Occupation	LMS Grocery Selector	Records Coo			
Name of Employer	Food Lion	University of	Richmond		
How long employed					
Address of Employer	2110 Executive Dr	Advancemen	t Data Systems	3	
	Salisbury, NC 28145	Richmond Ha	all		
		University of	Richmond, VA	23173	
	or projected monthly income at time case filed)		DEBTOR		SPOUSE
	nd commissions (Prorate if not paid monthly)	\$ _	2,466.00	\$	2,549.00
2. Estimate monthly overtime		\$ _	0.00	\$	0.00
3. SUBTOTAL		\$	2,466.00	\$	2,549.00
3. SUBTOTAL		Φ _	2,400.00	<u> </u>	2,349.00
4. LESS PAYROLL DEDUCTIO	anic				
		¢	442.00	¢	215.00
a. Payroll taxes and social sob. Insurance	ecunty	\$ _ \$	443.00 0.00	\$ —	215.00 335.00
c. Union dues		\$ <u>-</u>	0.00	\$ —	0.00
	as Detailed Income Attackment	ф -		ф —	
d. Other (Specify)	ee Detailed Income Attachment		1.00	₂ —	332.00
5. SUBTOTAL OF PAYROLL D	EDUCTIONS	\$_	444.00	\$	882.00
6. TOTAL NET MONTHLY TAI	KE HOME PAY	\$_	2,022.00	\$	1,667.00
7. Regular income from operation	of business or profession or farm (Attach detailed sta	itement) \$	0.00	\$	0.00
8. Income from real property	•	\$	0.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	0.00
	port payments payable to the debtor for the debtor's us	se or that of		· -	
dependents listed above		\$_	0.00	\$	0.00
11. Social security or government (Specify):	assistance	\$	0.00	\$	0.00
			0.00	<u>\$</u>	0.00
12. Pension or retirement income			0.00	<u> </u>	0.00
13. Other monthly income		Ψ_	0.00	Ψ	0.00
(Specify): Prorated Ta	x Refund	\$	342.00	\$	0.00
~poonj/.			0.00	<u>\$</u>	0.00
		Ψ_	0.00	Ψ	0.00
14. SUBTOTAL OF LINES 7 TH	IROUGH 13	\$_	342.00	\$	0.00
15. AVERAGE MONTHLY INC	OME (Add amounts shown on lines 6 and 14)	\$_	2,364.00	\$	1,667.00
16. COMBINED AVERAGE MO	ONTHLY INCOME: (Combine column totals from lin	e 15)	\$	4,031	.00

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 8 of 15

B6I (Official Form 6I) (12/07) 11 - 37780

In re
Turand D Paige
Mia S Paige
Case No.

Debtor(s)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S) Detailed Income Attachment

Other Payroll Deductions:

Dental	\$ 0.00	\$ 55.00
Dep Care FSA	\$ 0.00	\$ 18.00
401k	\$ 0.00	\$ 124.00
Med FSA	\$ 0.00	\$ 36.00
STD	\$ 0.00	\$ 40.00
Legal Resources	\$ 0.00	\$ 20.00
Spider Card	\$ 0.00	\$ 26.00
Child Life Insurance	\$ 0.00	\$ 1.00
Spouse Life Insurance	\$ 0.00	\$ 3.00
Life Insurance	\$ 0.00	\$ 9.00
ADD	\$ 1.00	\$ 0.00
Total Other Payroll Deductions	\$ 1.00	\$ 332.00

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 9 of 15

B6J (Offi	icial Form 6J) (12/07)			11-37780
In re	Turand D Paige Mia S Paige		Case No.	11-37700
		Debtor(s)	_	

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

expenditures labeled "Spouse." 1. Rent or home mortgage payment (include lot rented for mobile home)		\$	650.00
	No X	Ψ	
	$\sqrt{\sqrt{X}}$		
2. Utilities: a. Electricity and heating fuel	10	\$	225.00
b. Water and sewer		\$	50.00
c. Telephone		\$	60.00
d. Other See Detailed Expense Attachment		\$	215.00
3. Home maintenance (repairs and upkeep)		\$	20.00
4. Food		\$	650.00
5. Clothing		\$	100.00
6. Laundry and dry cleaning		\$	50.00
7. Medical and dental expenses		\$	100.00
8. Transportation (not including car payments)		\$	400.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.		\$	100.00
10. Charitable contributions		\$	5.00
11. Insurance (not deducted from wages or included in home mortgage payments)			
a. Homeowner's or renter's		\$	0.00
b. Life		\$	0.00
c. Health		\$	0.00
d. Auto		\$	163.00
e. Other		\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)			
(Specify) Personal Property Tax		\$	25.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to	be included in the		
plan)			
a. Auto		\$	324.00
b. Other		\$	0.00
c. Other		\$	0.00
14. Alimony, maintenance, and support paid to others		\$	0.00
15. Payments for support of additional dependents not living at your home		\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detail	led statement)	\$	0.00
17. Other See Detailed Expense Attachment	·	\$	745.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summa	ary of Schedules and,	\$	3,882.00
if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	,	· 	
19. Describe any increase or decrease in expenditures reasonably anticipated to occ	cur within the year		
following the filing of this document:	, , , , , , , , , , , , , , , , , , ,		
-		_	
20. STATEMENT OF MONTHLY NET INCOME		Φ	4 024 00
a. Average monthly income from Line 15 of Schedule I		\$	4,031.00
b. Average monthly expenses from Line 18 abovec. Monthly net income (a. minus b.)		\$	3,882.00 149.00
c. Monthly net income (a. minus b.)		D	149.00

Case 11-37780-DOT Doc 2 Filed 12/09/11 Entered 12/09/11 17:32:30 Desc Main Document Page 10 of 15

B6J (Official Form 6J) (12/07) 11-37780 **Turand D Paige** In re Case No. Mia S Paige Debtor(s) SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) **Detailed Expense Attachment Other Utility Expenditures:** cable 75.00 140.00 internet/phone \$ 215.00 **Total Other Utility Expenditures** Other Expenditures: 600.00 daycare emergency funds 100.00

Personal hygiene

Total Other Expenditures

45.00

745.00

\$

Advance America 9070 W Broad Street Henrico, VA 23294

Advanced Patient Advocacy 1025 Boulders Parkway Suite 400 Richmond, VA 23225

Advanced Recovery Syst 901 E 8th Ave King Of Prussia, PA 19406

Allianceone 4850 E Street Rd Trevose, PA 19053

Business Revenue Systems PO Box 13077 Des Moines, IA 50310-0077

Capio Partners Llc 2222 Texoma Pkwy Ste 150 Sherman, TX 75090

Capital One, N.a. Capital One Bank (USA) N.A. Po Box 30285 Salt Lake City, UT 84130

Cash 2 U 6220 Hull Street Road Richmond, VA 23224

Charlottesville Bureau Pob 6220 Charlottesvill, VA 22911

Chela/Sallie Mae Attn: Claims Department Po Box 9500 Wilkes-Barre, PA 18773

Citibank Stu Attn: Bankruptcy Po Box 6191 Sioux Falls, SD 57117

Comcast 5401 Staples Mill Road Henrico, VA 23228-5421

Credit Adjustment Board 306 East Grace St Richmond, VA 23219

Credit Collection Services Two Wells Ave Newton Center, MA 02459

Dominion Virginia Power PO Box 26543 Richmond, VA 23290-0001

Eastern Account System Po Box 837 Newtown, CT 06470

First Premier Bank 601 S Minnesota Ave Sioux Falls, SD 57104

Focused Recovery Solutions 9701 Metropolitan Court, Ste B Richmond, VA 23236-3690

General Services Corporation Collections Dept PO Box 8984 Richmond, VA 23225

Godwin-Jones & Price 20 South Auburn Ave Richmond, VA 23221-2910

HCA Health Services Foundation 945 Wadsworth Dr Richmond, VA 23236

Henrico Doctor's Hospital PO Box 13620 Richmond, VA 23225-8620

Henrico Doctor's Hospital-Fore PO Box 99400 Louisville, KY 40269

Henrico Doctors Hospital 1602 Skipwith Road Henrico, VA 23229

Henrico Pediatrics 7605 Forest Ave, Ste 102 Henrico, VA 23229

Ic Systems Inc Po Box 64378 St. Paul, MN 55164

London Towne 5618 Eunice Dr Henrico, VA 23228

Lvnv Funding Llc Po Box 740281 Houston, TX 77274

Michael Wayne Investments 6336 East Virginia Beach Blvd Norfolk, VA 23502

Michael Wayne Investments 500 Central Drive, Ste 106 Virginia Beach, VA 23454

Midland Credit Mgmt In 8875 Aero Dr San Diego, CA 92123

National Credit Adjusters PO Box 3023 327 W 4th St Hutchinson, KS 67504-9508

NCO Financial Systems 1804 Washington Blvd, Dept 600 Baltimore, MD 21230

Nelnet Lns Attention: Nelnet Claims Po Box 17460 Denver, CO 80217

NWP Services Corp PO Box 19661 Irvine, CA 92623-9661

Quarter Mill 3000 Quarter Creek Ln Henrico, VA 23294-5201

Radiology Associates of Rchmnd 2602 Buford Road Richmond, VA 23235

Rjm Acq Llc 575 Underhill Blvd. Suite 224 Syosset, NY 11791

Security Check, LLC PO Box 1530, Dept 10 Southaven, MS 38671-0016

T-Mobile

VAC LLP t/a London Towne Apts c/o Grogan & Associates 203 E Cary St, Ste 125 Richmond, VA 23219

Virginia Emer & Occup Phy PO Box 247 Midlothian, VA 23113

Vzw Ne Attn: Verizon Wireless Po Box 3397 Bloomington, IL 61702

Wach/rec Po Box 50014 Roanoke, VA 24040

West Asset 2703 N Highway 75 Sherman, TX 75090